

# WESTLAW

2016 WL 3671157

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United States District Court, M.D. Pennsylvania.

## Keyes v. Lynch

United States District Court, M.D. Pennsylvania. | July 11, 2016 | Not Reported in Fed. Supp. | 2016 WL 3671157 (Approx. 1 page)

v.

Loretta E. LYNCH, Attorney General of the United States, et al.,  
Defendants.

1:15-cv-457

Signed 07/11/2016

## Attorneys and Law Firms

Joshua G. Prince, Prince Law Offices PC, Bectelsville, PA, for Plaintiffs.

Daniel M. Riess, U.S. Dept. of Justice, Washington, DC, for Defendants.

## ORDER

John E. Jones III, United States District Judge

\*1 In accordance with the Memorandum issued on today's date, it is hereby ORDERED that:

1. Plaintiffs' Motion for Summary Judgment, (Doc. 28), is **GRANTED in part and DENIED in part**. Plaintiffs' Motion is **GRANTED** to the extent that judgment is entered in Jonathan Yox's favor on the as-applied Second Amendment challenge contained in Count I of the Amended Complaint. Plaintiffs' Motion is otherwise **DENIED**.
2. Defendants' Motion for Summary Judgment, (Doc. 33), is **GRANTED in part and DENIED in part**. Judgment is entered in favor of Defendants on all claims except for Jonathan Yox's as-applied Second Amendment challenge contained in Count I of the Amended Complaint.
3. It is **DECLARED** that 18 U.S.C. § 922(g)(4), as-applied, violates Jonathan Yox's right to keep and bear arms as secured by the Second Amendment to the United States Constitution.
4. It is further **ORDERED** that Defendants, their officers, agents, servants, employees, and all persons in active concert or participation with them who receive actual notice of this Order are **ENJOINED** from enforcing 18 U.S.C. § 922(g)(4) against Jonathan Yox based on his commitment to a mental institution when he was a juvenile.
5. The Clerk of Court is **DIRECTED** to close the case.

## All Citations

Not Reported in Fed. Supp., 2016 WL 3671157

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Document

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## SELECTED TOPICS

Weapons

Right to Bear Arms

**Constitutional Right of Citizen of One State**

## Secondary Sources

**Federal constitutional right to bear arms**

37 A.L.R. Fed. 696 (Originally published in 1978)

...This annotation collects and analyzes the cases in which the federal and state courts have construed and applied the federal constitutional right, under the Second Amendment to the United States Consti...

**Construction and Application of United States Supreme Court Holdings in District of Columbia v. Heller, 554 U.S. 570, 128 S. Ct. 2783, 171 L. Ed. 2d 637 (2008) and McDonald v. City of Chicago, Ill., 130 S. Ct. 3020, 177 L. Ed. 2d 894 (2010) Respecting Second Amendment Right to Keep and Bear Arms, to State or Local Laws Regulating Firearms or Other Weapons**

64 A.L.R.6th 131 (Originally published in 2011)

...In District of Columbia v. Heller, 554 U.S. 570, 128 S. Ct. 2783, 171 L. Ed. 2d 637 (2008), the United States Supreme Court held that the Second Amendment confers an individual right to keep and bear a...

## APPENDIX III-JUDICIAL OPINIONS

FDA Enforcement Man. Appendix III

...No. 74-215 Supreme Court of the United States 421 U.S. 658; 95 S. Ct. 1903 2d 489 Argued March 18-19, 1975 June 9, 1975 Mr. Chief Justice Burger delivered the opinion of the Court. We granted certiorari...

[See More Secondary Sources](#)

## Briefs

**Brief for Amici Curiae Brady Center to Prevent Gun Violence, the International Association of Chiefs of Police, the International Brotherhood of Police Officers, and the National Black Police Association in Support of Neither Party**

2009 WL 4099514

Otis MCDONALD, et al., Petitioners, v. CITY OF CHICAGO, ILLINOIS, et al., Respondents.

Supreme Court of the United States Nov. 23, 2009

...FN1. Pursuant to Rule 37.6, amici certify that no counsel for a party authored this brief in whole or in part, and that no person or party, other than amici, their members, or their counsel made a mone...

**Brief for New York, Hawaii, Maryland, Massachusetts, New Jersey, and Puerto Rico as Amici Curiae in Support of Petitioners**

2008 WL 157197

DISTRICT OF COLUMBIA and Adrian M. FENTY, Mayor of the District of Columbia, Petitioners, v. Dick Anthony HELLER,



